

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

RICHARD JOSEPH SCHREIBER,

Plaintiff,

v.

Case No. 22-cv-1360-pp

JOHN DOE, *et al.*,

Defendants.

**ORDER DISMISSING CASE FOR PLAINTIFF'S FAILURE TO PAY INITIAL
PARTIAL FILING FEE**

On January 25, 2023, the court ordered that if the plaintiff wanted to continue with this lawsuit, then by the end of the day on February 28, 2023, he must pay \$17.17 as an initial partial filing fee (or file a letter asking for more time to do so). Dkt. No. 7 at 4. The court's order stated that the plaintiff must send the fee in time for the court to *receive* it by the end of the day on February 28, 2023, and that if the court did not receive the initial partial filing fee, or a letter asking for more time, by the end of the day on February 28, 2023, the court would dismiss the case without prejudice. Id.

The plaintiff was in custody at the Brown County Jail when he filed his complaint. Dkt. No. 1. When the court issued its order, he had been released. See Brown County Jail Inmate Lookup Tool, <https://lookup-inmate-jail.browncountywi.gov>. The court's staff contacted the plaintiff's state supervising officer, who indicated that the plaintiff was homeless and that the order could be mailed to the plaintiff in care of her office. That is where the court sent the

order (and where it will send this order). The January 25, 2023 order was not returned as undeliverable and the court did not receive anything from the plaintiff by the February 28, 2023 deadline. The court will dismiss this case without prejudice for failure to pay the initial partial filing fee.

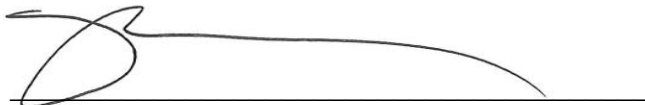
The law requires any incarcerated person who files a civil lawsuit to pay the statutory filing fee. 28 U.S.C. §1915(b)(1). The court will collect the \$350 statutory filing fee.

The court **ORDERS** that this case is **DISMISSED WITHOUT PREJUDICE** for the plaintiff's failure to comply with the court's order and pay an initial partial filing fee. The clerk will enter judgment accordingly.

The court **ORDERS** that the plaintiff must pay the \$350 filing fee to the clerk of court as he is able.

Dated in Milwaukee, Wisconsin this 17th day of March, 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'P. Pepper', is written over a horizontal line.

HON. PAMELA PEPPER
Chief United States District Judge